

# Jail Inspection

## REDEFINED

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**A**s in many states, Virginia's jails are as diverse and complex as its dynamic geography of coastal plain, rolling foothills, and mountains. City, county, and regional jails range from those in heavily populated urban and suburban locales to rural settings where a small jail in sight of farmland may be a short journey from a large, high-rise facility located in a metropolitan business area. With operational capacities ranging from 7 to 1,260 (and actual populations well in excess), the state's 85 jails provide a diverse panorama of physical plants, administrators, staff, and operations.

The jails or jail systems in cities such as New York, Chicago, and Los Angeles dwarf even the largest Virginia jail in Fairfax County, but the business of jail inspection is related to more than size alone. Today, jail inspectors are more than that title implies, and the business of jail inspection transcends the past practices of casual observation, or "eyeball and sniff."

Rapidly disappearing are small capacity jails, linear designs, convex observation mirrors, and "empty bed" classification. An inspector in 2002 is confronted with large jail systems, direct supervision, podular housing design, electronic technology, management through objective classification, and, most significantly, the ever-increasing professionalism and sophistication of jail administrators and personnel. Just as jail staff have met the challenge of moving from a 1950s design jail to a newly built "adult detention center," the inspector today must confront an equal challenge in bridging the old and new.

### **Changing Perspectives**

The National Association of Jail Inspectors (NAJI) is working in the criminal justice system to dispel the notion that a jail inspector's only credential is that he/she is a former law enforcement or jail employee. Although many inspectors have come from law enforcement or the jail ranks and perform well because of this past experience, the NAJI seeks to promote inspection as a profession that requires

specific knowledge, skills, and abilities. The inspector is recognized as a professional with a significant role in the overall criminal justice system.

NIC has taken a leadership position in this effort by sponsoring annual meetings for jail inspectors and serving as a resource to the NAJI. Perhaps NIC's most important work in this area is the June 2000 "Competency Profile of Detention Facility Inspector," coordinated by Alan Richardson, NIC Correctional Program Specialist.\* This comprehensive document identifies an inspector's varied job roles and defines an effective detention facility inspector as "one who assesses compliance with applicable standards and promotes professionalism through inspections, technical assistance, investigations, studies, and staff development to ensure safe, secure, effective, and legally operated facilities." This broad job description illustrates the current role of the jail inspector by emphasizing non-adversarial professionalism, resource assistance, and staff development in working effectively with all jails—new or old, large or small.

The role of the inspector and the jail inspection function in Virginia underwent major revision in the early- to mid-1990s with the construction of larger jails, the proliferation of regional jails, and a statutory mandate for annual unannounced inspections of jails and lockups (temporary holding facilities). At the same time, the Virginia Board of Corrections's *Standards for Local Jails and Lockups* were being revised and a new policy on audits and inspections was being promulgated. The revised role of the inspector began with a recognition that the inspection function was only part of the job. A title change to Local Facilities Manager reflected more accurately the inspector's responsibilities for providing technical assistance, conducting studies, brokering information, and networking.

In 1995, the Code of Virginia was amended to require unannounced annual inspections of jails and lockups in addition to the triennial certification audit that had been required when jail standards were developed in 1979. As the certification audits assessed compliance with all 115 standards, inspections focused on the most critical operational areas of medical care, emergency procedures, food service, security, prisoner supervision, and sanitation. Thirty-four standards were designated as life, health, and safety in nature. Further planning resulted in the involvement of the state health department's local environmental specialists in the co-inspection of food service and facility sanitation.

As a result of these changes the role of the inspector, or Local Facilities Manager, now focuses on:

- Emphasizing the importance of critical standards;
- Facilitating compliance, providing technical assistance; and
- Becoming a greater resource for jails in achieving their mission.

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\* NIC's competency profile for jail inspectors is available from the Information Center or on the NIC web site at [www.nicic.org/services/pubs/2001/017166.pdf](http://www.nicic.org/services/pubs/2001/017166.pdf).

## **Differences Between Large and Small Jails**

Inspectors frequently debate the issue of whether they spend most of their time in small or large jails. In most cases, the real answer is that they spend an equal amount of time in each, with larger jails presenting more complex issues and smaller jails seeking the resources and assistance of the inspector more frequently. The factors that differentiate the inspector's role with respect to large and small jails are typically related to budget, staffing, programs, and available resources. Although exceptions exist, jails in larger urban population centers tend to have greater levels of staffing, more programs, and substantial community resources.

Smaller facilities, usually in less populated localities, have fewer staff, less sophisticated programs, and fewer resources on which to draw. The inspector's time is also divided between the tasks of inspections and technical assistance. Although the inspection process usually occupies more work hours, technical assistance is a broad category that can encompass tasks of almost any variety.

Inspections are generally based on set standards and established processes, whereas technical assistance is more open-ended. On a daily basis, large or small jails may request and receive technical assistance in any of the following areas:

- Staffing;
- Program development;
- Law definition or interpretation;
- Policy development;
- Security practices;
- Construction design review;
- Interface with other government agencies;
- Local, state, or federal funding;
- Pre-audit preparation; and
- Training.

## **Networking: A Key Role**

Networking is a key role, and most jail administrators know that the quickest answer to what other jails are doing can be found by contacting their inspector, who should have a statewide, if not national, perspective on jail operations. Recent events in Virginia illustrate the need for this broad perspective. In heavily populated northern Virginia near the nation's capitol, the Alexandria City Jail is currently holding accused terrorists for trial in Federal Court and has added security precautions such as outside visitor checkpoints, exterior razor wire fencing, and redefined parking areas. As a rural locality in southwestern Virginia, Patrick County has few things in common with Alexandria, but, like Alexandria, it does have a jail. The inspector for the small Patrick County Jail was recently notified that shower stall renovations would be delayed because the judge in an adjacent courtroom threatened a contempt charge if more banging noises were heard while court was in session.

Not all situations have that degree of local flavor, but the inspector's role as an information clearinghouse was also recently highlighted with a request for assistance on the use of tobacco products from a jail that was planning to convert to a non-smoking facility. To assist the sheriff and local governing body in decision-making, the jail administrator requested help in determining how many of Virginia's 85 jails allowed smoking and how many were smoke-free. Each inspector obtained that information from his or her assigned jails and provided it to the requesting jailor within 2 days.

The knowledge base and professional perspective needed to be an effective inspector have increased over the years, in pace with the increasing sophistication of jail operations. No longer can an inspector work with the jail alone, because other affiliated agencies or organizations are involved. It is essential for an inspector to know about the roles of federal government agencies such as the U.S. Department of Justice and NIC, state-level agencies charged with risk management and fiscal auditing, and professional organizations like the American Jail Association (AJA) and the American Correctional Association (ACA). Inspectors must also work with and know about other professions, including architects who design and contractors who build jails; private business vendors that supply the jail canteen, deliver computer services, or provide food services; and health care companies that provide medical services.

A jail inspector's job has evolved significantly from a basic auditing of operations. In the panorama of today's jails, inspection remains a central duty, but it is augmented by the equally important role of the inspector as a networker and relationship builder among the many components of the criminal justice system.

### **The 2002 Jail Inspection Model**

When Webster's *New Collegiate Dictionary* defined inspection as "a checking or testing of an individual against established standards," the current role of the jail inspector was not envisioned, but standards and inspections continue to be important elements in jail operations today. That sentiment is echoed by current AJA President Walter Smith, CJM, in the November/December 2001 issue of *American Jails*, in which he writes, "To me, jail inspections are critical. Standards are only as good as they are used and followed." In the same issue, Managing Editor Ken Kerle, Ph.D., endorses quantifiable jail inspections: "Look at it [inspection] in a positive manner. A jail which can do well in a jail inspection is one with fewer problems with staff and inmates and one which has a good defense against lawsuits."

The question today is not whether jails should be inspected, but what part mandatory inspection should play in jail operations. That role should be maximized, and every jail, large or small, should incorporate inspections and inspection results into its strategic planning and accountability programs. Jail strategic plans should include a goal of compliance with standards, an objective for a 100% score, and strategies for technical assistance and inspections by a professional inspector.

As a risk management tool and proactive hedge against lawsuits, results achieved should be shared through accountability programs and “report cards” that make inspection or audit scores, certifications, or accreditations available to the public. This approach was recently employed by the Peumansend Creek Regional Jail in Bowling Green, Virginia, which hosted a dinner for board members, staff, and local and state officials to celebrate a successful ACA audit and impending accreditation. With an audit score of 98.6, Peumansend became the tenth ACA-accredited jail in Virginia and one of 100 nationally.

**T**he recipe for inspection or audit success is simple, and it begins with these basic elements:

- Assignment or designation of an accreditation or certification manager;
- Revision or update of policy and procedure to comply with standards;
- Organization of files and compliance documentation records;
- Maintenance of ongoing and regularly scheduled policy reviews;
- Manager interface with external agencies, e.g., fire marshal and health;
- Coordination of inspection or audit team of jail unit heads;
- Self audits or inspections (announced and unannounced);
- Technical assistance and review by local or state inspectors; and
- Mock audits or inspections by local or state inspectors.

Many Virginia jails have implemented such processes, with positive results. Since 1995, compliance has steadily increased. In 2001, over 60% of the jails and lockups inspected or audited scored 100% compliance with state standards. ■

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